

MINUTES OF TOWN BOARD MEETING OF MARCH 10, 2010

PRESENT: Supervisor Teresa Dean
 Council Edward Fairbrother
 Marcia Hudock
 David Manchester
 Mike Smith
 Attorney Thomas Bowes
 Town Clerk Linda Cross

Supervisor Dean called the Town Board meeting to order at 4:30 p.m. and requested those present to participate in the Pledge of Allegiance.

CONCERNS OF THE PEOPLE - None

REPORTS

Supervisor Dean stated the following reports for February 2010 have been received and are on file in the office of the Town Clerk:

Town Clerk's Monthly Report, Justice Court Monthly Report, Assessor Monthly Report, Department of Public Works Monthly Report, Community Center Monthly Report; Agriculture & Market Monthly Report, SPCA Monthly Report.

Councilperson Manchester informed the Town Board that questions and concerns have been raised regarding the Sing Sing Road realignment and mentioned that the Elmira Corning Regional Airport Manager will be happy to answer questions. Supervisor Dean will contact the Airport Manager and attempt to set up a time and place for a public meeting.

Councilperson Fairbrother reported that due to restructuring, two positions at the Town Hall were eliminated.

OLD BUSINESS

Sanitary Sewer Project Acceptance. This Item was tabled.

NEW BUSINESS

RESOLUTION NO. 116-10 PREPAY APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS the Director of Planning is required to obtain membership in Planning Associations and said membership dues were required to be paid by March 1, 2010, and

WHEREAS Stephen Polzella, Director of Planning, paid membership dues to the AICP, APA and New York Upstate Chapter, and

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RESOLUTION NO. 116-10 PREPAY FOR REIMBURSEMENT, continued

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to reimburse Stephen Polzella with a prepayment in the amount of \$340.00.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean
NAYS: None

RESOLUTION NO. 117-10
VOID CHECK APPROVED

Resolution by: Smith
Seconded by: Hudock

WHEREAS a memorandum was received from the Bookkeeper, dated February 19, 2010 requesting authorization to void a specific check, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Bookkeeper to void check number 8255 payable to Dean Bennett Supply Company for \$277.95 due to duplicate payment and authorize the deletion of Voucher #9461.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean
NAYS: None

RESOLUTION NO. 118-10
NYSTCA CONFERENCE ATTENDANCE APPROVED

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the New York State Town Clerks Association, Inc. (NYSTCA) conference is a training conference for the office of the Town Clerk, and

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WHEREAS said conference is held annually with representatives from New York State offices offering sessions for updates regarding new and proposed regulations that effect the daily operations of the office of the Town Clerk, and

RESOLUTION NO. 118-10, NYSTCA CONFERENCE ATTENDANCE, continued

WHEREAS Deanne Williams, former Deputy Town Clerk has agreed to provide office coverage during the absence of the Town Clerk and Deputy Town Clerk, and

WHEREAS for environmental review, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5 (c) (19) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes Linda Cross, Town Clerk and Sheree McGannon, Deputy Town Clerk, to attend the New York State Town Clerks Association Conference held April 25 – 28, 2010 with expenses not-to-exceed \$1,200.00 and all appropriate expenses to be paid from the appropriate budgets.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith

NAYS: Dean

PROPOSED RESOLUTION NO. 119-10
BIG FLATS COMMUNITY DAY, INC. AGREEMENT APPROVED

Resolution by: Manchester

Seconded by: Fairbrother

WHEREAS Big Flats Community Day, Inc. is a not-for-profit corporation that organizes, operates and runs an annual Community Days festival which is held at the Big Flats Community Park, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board authorizes the Town Supervisor to sign the agreement with Big Flats Community Day, Inc. for the purpose of holding the Big Flats Community Days festival at Community Park on June 10-12, 2010 subject to the review and approval by the Attorney for the Town.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean

NAYS: None

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RESOLUTION NO. 120-10
PERMIT FEES WAIVER APPROVED

Resolution by: Fairbrother
Seconded by: Smith

WHEREAS Big Flats Community Day, Inc. is a not-for profit corporation that organizes, operates and runs an annual Community Days festival which is held at the Big Flats Community Park, and

WHEREAS the festival requires the use of the Community Park and pavilions for a period running from June 10-12, 2010, and

WHEREAS the proceeds from Big Flats Community Days Inc. as indicated in the Big Flats Community Days Inc. Bi-Laws goes towards the beautification of the Town and its parks, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED the Town Board waives the fees pertaining to the use of Big Flats Community Park, due to the fact that said proceeds are used for the beautification of the Town and its parks, for the purposes of holding the Big Flats Community Days Festival.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean
NAYS: None

RESOLUTION NO. 121-10
GAMES OF CHANCE LICENSE APPROVED

Resolution by: Smith
Seconded by: Hudock

WHEREAS an application for Games of Chance was received from Big Flats Community Day, Inc. dated March 2, 2010, and

WHEREAS the Town Clerk duly submitted the application to the Chemung County Sheriff's Department, Records Division, for their investigation of Findings and Determination for Games of Chance License, and

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RESOLUTION NO. 121-10 GAMES OF CHANCE LICENSE, continued

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED if a findings and determination for Games of Chance License finds the designated member conducting games of Chance are of good moral character, the Town Board approves the Application for Games of Chance License, dated March 2, 2010, from Big Flats Community Day, Inc. to perform games of chance events as outlined in the application.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean
NAYS: None

RESOLUTION NO. 122-10
PUBLIC HEARING APPROVED

Resolution by: Hudock
Seconded by: Manchester

WHEREAS the Planning Board has received an application from Camping World for temporary vehicle sales on tax parcel #57.04-1-7.17 located in the Business Regional (BR) District, and

WHEREAS the use of vehicles sales in the BR district pursuant to Chapter 17.12.010 of the Town Municipal Code requires Special Use Permit approval of the Town Board, and

WHEREAS prior to action on a Special Use Permit a Public Hearing shall be duly held by the Town Board, and

WHEREAS for environmental review purposes, administration is a Type II action in accordance with SEQRA 6NYCRR, Part 617.5(c) (20) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board sets a Public Hearing for March 24, 2010 at 7:05 p.m. to hear comments for a Special Use Permit for Camping World.

CARRIED: AYES: Hudock, Manchester, Fairbrother, Smith, Dean
NAYS: None

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CORRESPONDENCE

Silver Day Banner Proclamation Request/Nancy Spoerke. A letter was received from Nancy Spoerke from Silver Star Families.org, dated February 16, 2010, requesting the Town Board to designate May 1st the "SILVER STAR BANNER DAY", to honor the wounded and ill Soldiers.

2009 Annual Aid Certification/NYS ORPS. A letter was received from Teresa M. Frank, Regional Director from the State of New York Office of Real Property Services, dated February 10, 2010, regarding the successful completion of the 2009 annual reassessment.

Environmental Compliance Training/EPA. A letter was received from the United States Environmental Protection Agency, inviting representatives from municipalities in New York to attend the Environmental Compliance Training and Money Saving Opportunity Workshop.

2010 Census/US Census Bureau. An Email was received from Robert M. Groves, Director of the U.S. Census Bureau, dated February 18, 2010, regarding the importance of the Take 10 Challenge.

Conference Notice/Syracuse University. A letter was received from Sara Pesek Director of the Environmental Finance Center Syracuse University, regarding Smart Management for Small Communities Conference.

Program Updates/Time Warner Cable. A letter was received from David Whalen, Vice President for Public and Governmental Affairs for Time Warner Cable, dated March 1, 2010, informing the Town Board of the potential of service agreements expiring and the 2009 Franchises Fee Worksheet for the Central New York Division.

Liquor License Renewal Monitag Inc. Liquor License Renewal applications were received from James Rhodes Owner of Monitag, Inc, dated March 2, 2010, for Tags Restaurant and Tavern.

Monthly Updates/NYS Department of State. A Monthly Updated was received from Lorraine Cortes-Vazque, Secretary of State for NYSDOC, on March 4, 2010.

Councilperson Fairbrother made a motion, seconded by Councilperson Smith, to adjourn the Town Board meeting at 5:02 p.m. All in favor, motion carried.

Date approved: _____

Linda J. Cross
Town Clerk